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**DEPARTMENT  
POLICY****Medicaid (MA) Only**

Medicaid for children under age one (HK1) is part of the U-19 Medicaid Expansion program. It is a MAGI related Medicaid category.

HK1 Medicaid is available to children under one year of age whose household income is between 143-195 % of the Federal Poverty Level (FPL). All eligibility factors must be met in the calendar month being tested.

However, only certain eligibility factors apply before annual renewal. If the month being tested is an L/H month and eligibility exists, go to BEM 546 to determine the post-eligibility patient-pay amount.

**Note:** Safe Delivery Babies do not need to meet any of the non-financial eligibility factors listed in this item.

**Presumptive  
Eligibility**

Refer to BEM 136 for presumptive eligibility policy.

**NONFINANCIAL  
ELIGIBILITY  
FACTORS**

The child must be under age one; see BEM 240. See CHILD IN HOSPITAL OR LTC in this item for an exception to the age limit.

The MA eligibility factors in the following items must be met:

- BEM 220, Residence.
- BEM 223, Social Security Numbers.
- BEM 225, Citizenship/Alien Status.
- BEM 255, Child Support.
- BEM 257, Third Party Resource Liability.
- BEM 265, Institutional Status.
- BEM 270, Pursuit of Benefits.

**FINANCIAL  
ELIGIBILITY  
FACTORS****Household  
Composition**

Household composition follows tax filing rules refer to BEM 211, Medicaid Group Composition.

**Assets**

There is no asset test.

**Divestment**

Policy in BEM 405 applies because income can be divested.

**Income Eligibility**

Income eligibility exists when net income does not exceed 195% of the federal poverty level.

Refer to BEM 500 to determine income.

**ONGOING  
ELIGIBILITY**

Once eligible, a beneficiary's eligibility continues until annual renewal unless the child:

- Moves out of state.
- Is ineligible due to institutional status; see BEM 265.
- Is eligible for Foster Care Department Ward (FCDW) coverage.
- Dies.

**Note:** If eligibility was granted based on incorrect or fraudulent information, continuous eligibility may be interrupted.

Continue using Under Age 1 income eligibility at renewal when a child is:

- Currently eligible for and receiving Under Age 1 MA.
- An inpatient in a hospital or in long term care (LTC) facility and attained age one while in the facility.

**Note:** The stay in the facility must be uninterrupted since age one.

An ex parte review is required before Medicaid closures when there is an actual or anticipated change, unless the change would result in closure due to ineligibility for all Medicaid.

When possible, an ex parte review should begin at least 90 days before the anticipated change is expected to result in case closure. The review includes consideration of all MA categories; see BAM 115 and 220.

## **CHILD IN HOSPITAL OR LTC**

A child eligible for, and receiving, MA under this category who is a hospital inpatient or in LTC on his or her first birthday remains eligible for the duration of the inpatient stay provided all eligibility factors except age are met. The stay must be uninterrupted.

Eligibility under this category no longer exists when a child stops receiving inpatient hospital or LTC services. Transfers between hospitals and/or LTC facilities are not considered interruptions of a stay.

## **LEGAL BASE**

### **MA**

Social Security Act, Section 1902(a)(10)(A)(i)(IV), 1905(u)(2)(B)

Social Security Act XXI,

42 CFR 457.320(A)(2) and (3).

42 CFR 435.229 and 435.4

The Affordable Care Act of 2010 is the collective term for the Patient Protection and Affordable Care Act (Publication L. 111-148) and the Health Care and Education Reconciliation Act (Publication L. 111-152).